UNITED NATIONS **E**

Economic and Social Council

Distr.
LIMITED

E/AC.51/1996/L.8/Add.20
5 September 1996

ORIGINAL: ENGLISH

COMMITTEE FOR PROGRAMME AND COORDINATION
Thirty-sixth session (Part II)
26 August-6 September 1996

DRAFT REPORT

Addendum

Rapporteur: Mr. Anatoliy T. OLIYNYK (Ukraine)

PROGRAMME QUESTIONS

Proposed medium-term plan for the period 1998-2001

* Programme 19. Human rights

1. At its 30th meeting, on 21 June 1996, the Committee considered programme 19, Human rights, of the proposed medium-term plan for the period 1998-2001.

Discussion

2. A number of delegations supported the proposed programme of work and believed that it should be implemented immediately given its vital nature. Other delegations felt that the consideration of the programme should be postponed in order to take into account the deliberations of the General Assembly during its consideration of the Secretary-General's report on the restructuring of the Centre for Human Rights.

3. Some delegations expressed the view that paragraph 19.1 should be redrafted in order more accurately to reflect the objectives of the Vienna Declaration and Programme of Action. Other delegations considered that the text of the paragraph should be replaced only by a reference to the Vienna Declaration and to the Universal Declaration of Human Rights. Some delegations considered that the reference to the Universal Declaration of Human Rights should be included in paragraph 19.3 (a). Several delegations felt that the text of paragraph 19.1

should include the provision that the political, historical, social, religious and cultural characteristics of each country, as well as respect for the principles of national sovereignty and non-interference in the internal affairs of others, should be borne in mind. Some delegations stressed that the responsibility of the international community to promote effective cooperation for the realization of the right to development and to eliminate obstacles to development should be properly reflected in paragraph 19.1. Other delegations supported the paragraphs as drafted.

4. A number of delegations felt that the 14 objectives indicated in paragraph 19.3 were well-balanced and represented a synergy of efforts. Other delegations considered those objectives to be not balanced, with some being too general and some too specific. Some delegations felt that the 14 objectives indicated in the paragraph seemed more like a strategy and not like objectives to be realized.

5. Some delegations felt that the three subprogrammes represented a more organizational than a programmatic structure. Other delegations felt that the narratives of subprogrammes contained duplication and that the fact-finding activities indicated in subprogramme 19.3 (paragraph 19.9) should be implemented under subprogramme 19.2. Other delegations welcomed the co-location of those activities. Several delegations stressed that the reference to avoidance of overlapping and duplication through effective coordination and continuing adaptation should be made in paragraph 19.9.

6. Some delegations felt that paragraph 19.3 (j), regarding the inclusion of a human rights dimension in United Nations peace-keeping and humanitarian operations, should be deleted, while other delegations supported that objective, emphasizing that it was implied that those activities were implemented only on the basis of Security Council and General Assembly resolutions.

7. Many delegations felt that there should be a separate subprogramme for the right to development. Other delegations considered that the inclusion of the right to development in subprogramme 19.1 was appropriate and responded accurately to the relevant General Assembly resolution. Some delegations were of the opinion that the obstacles to the right to development and the ways and means to eliminate those obstacles should be described in subprogramme 19.1.

8. Some delegations were of the opinion that a reference to coordination between special rapporteurs and working groups should be included in paragraph 19.3 (f). Other delegations thought that the special procedures should be treated in the document as a whole separate issue since those activities had been of high priority in the previous medium-term plan.

9. Some delegations were of the view that the realization of the right to self-determination should be an important objective for programme 19 on human rights, and recommended that realization of the right to self-determination should be included among the measures listed in paragraph 19.3 (l).

10. Some delegations felt that the development of new norms and new standards and instruments mentioned in paragraphs 19.2 and 19.3 (n) was not an appropriate goal, and that the universal ratification of basic international human rights

treaties mentioned in paragraph 19.3 (a) represented goals which were too ambitious and difficult to be realized during the plan period. Some delegations felt that the list of existing international instruments and standards should be included in the text of the programme. Some delegations considered that effective compliance with existing treaties should also be stressed.

11. The Committee discussed the following proposed amendments.

(a) Create a new subprogramme for the right to development;

(b) Delete paragraphs 19.1 and 19.3 (j) entirely;

(c) Paragraph 19.1: In the last sentence, after the words "the principle", insert the words "and recommendations";

(d) Paragraph 19.2: After the words "to support human rights organs and treaty monitoring bodies", delete the words "to anticipate potential serious violation and react to violations.";

(e) Paragraph 19.3 (a): At the end of the paragraph, after the words "legislation of States", add the following:

"and the continuing adaptation of the United Nations human rights machinery to the current and future needs in the promotion and protection of human **rights, as reflected in the Vienna Declaration**";

(f) Paragraph 19.3 (b): Replace the words "each agency and programme" with the words "each of the United Nations organs, bodies and specialized agencies whose activities deal with human rights";

(g) Paragraph 19.3 (m): Replace the words "national institutions, grass-roots organizations and civil society" with the words "according to the legislative mandates in effect regarding this issue";

(h) Paragraph 19.5:

(i) After the words "the Declaration on the Right to Development", insert the words "and the Vienna Declaration and Programme of Action";

(ii) After the words "for the implementation of the right to development", insert the words "as an integral part of the fundamental human rights";

(i) Replace the title of subprogramme 19.2 with the following: "Supporting international procedures and bodies and organs relating to human rights";

(j) In the title of subprogramme 19.3, delete the words "support to human rights fact-finding procedures";

(k) Transfer paragraph 19.9 from subprogramme 19.3 to subprogramme 19.2;

(1) Paragraph 19.9: Delete the words "In the area of support to fact-finding bodies".

Conclusions and recommendations

12. The Committee considered programme 19, Human rights. During the discussion, divergent opinions were expressed on the content and structure of the programme. In that regard, the Committee took note of the programme and recommended that the General Assembly consider the programme, taking into account, inter alia, the views expressed and amendments proposed by Member States as reflected in the above section on the discussion.